UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,686	12/30/2003	Nikolai G. Nikolov	6570P043	2186

45062	7590	01/07/2009

SAP/BSTZ
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
1279 OAKMEAD PARKWAY
SUNNYVALE, CA 94085-4040

EXAMINER
KANG, INSUN

ART UNIT	PAPER NUMBER
2193	

MAIL DATE	DELIVERY MODE
01/07/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1.   Claims 1-46 are pending and have been examined.

Claim Objections

2.   Claims 2-10, 20-28, 38-46 are objected to under 37 CFR 1.75(c), as being of improper

dependent form for failing to further limit the subject matter of a previous claim. Applicant is

required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent

form, or rewrite the claim(s) in independent form. Per 2-4, 6, 20-22, 24, 38-40, 42, the

limitations in the claims are recited in the independent claims and the claims do not further limit

the parent claims. Per claims 5, 7-10, 23, 25-28, 41, and 43-46, these claims are objected based

on dependency on the parent claims 4, 6, 22, 24, 40, and 42.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Boykin** et al.

(US Patent Application Publication 2004/0123279 A1) in view of Applicant Admitted Prior Art

(**AAPA**).

Claim 1
Boykin disclosed a method, comprising:

performing the following by a dispatcher that dispatches method entry and/or exit points to a plug-in *(paragraph 0007, registry with probes; and paragraph 0036; dispatcher being the system, as dispatching is clearly performed by this system)*:

receiving from a classfile registration information comprising a class name and different method names for more than one of said class's methods, wherein said class name is in the form of a character string and where each of said method names are in the form of a character string and wherein each of said methods have been previously modified with at least one additional byte code instruction to cause *(paragraphs 0007, instrument specific methods within a class and hooks into the loaded class; also 0029-0030, and 0033, 0038; paragraph 0054, table 1, see "class id"; paragraph 0054, table 1, see "method id; "probed classes; probed methods," 0043).*

), for its respective method, a plug-in module's handler method to provide output function treatment for said respective method *(paragraph 0007, probes in registry)*;

referring to a plug-in pattern to determine which of a plurality of plug-in modules are appropriate for each of said class's methods, said plug-in pattern listing for each of said plug-in modules those of said methods that are to be handled with its corresponding output function treatment *(paragraph 0007, registry with probes; and paragraph 0036)*;

updating a dictionary to include information from said plug-in pattern (i.e. "New locations, new probes, and any change to the status of registered probes …can take effect immediately," 0043);

Boykin did not explicitly state basing a new numeric name for said class upon the order in which said classfile has registered with respect to the registration of other classfiles and passing said new numeric name to said classfile. **AAPA** demonstrated that it was known at the

time of invention to make use of numeric names and name based upon order (i.e.0014). It would

have been obvious to one of ordinary skill in the art at the time of invention to implement

Boykin's naming with numeric names and naming in order. This implementation would have

been obvious because one of ordinary skill in the art would be motivated to make use of

conventional identification schemes.

Claim 2

Boykin disclosed the method of claim 1 wherein said class name is in the form of a character

string *(paragraph 0054, table 1, see "class id")*.

Claim 3:

Boykin in view of AAPA discloses:

Sending to said classfile a numeric name for said class (i.e. *also 0029-0030, and 0033, 0038)*.

Claim 4:

AAPA further discloses: said numeric name is based upon the order in which said classfile has

registered with respect to the registration of other classfiles (i.e.0014).

Claim 5:

AAPA further discloses an integer name (i.e. 0014).

Claim 6

Boykin disclosed the method of claim 1 wherein each of said method names are in a character

string format *(paragraph 0054, table 1, see "method id")*.

Claims 7-13:

AAPA demonstrated that it was known at the time of invention to make use of numeric names and name based upon order recited in claims 7-13 (i.e.0014).

Claim 14

Boykin disclosed the method of claim 1 wherein said receiving of registration information is in response to said classfile being loaded *(paragraph 0033)*.

Claim 15

Boykin disclosed the method of claim 1 wherein at least one of said plurality of plug-in modules further comprise a handler method that performs a time recordation function *(paragraph 0005, license usage, logging)*.

Claim 16

Boykin disclosed the method of claim 1 wherein at least one of said plurality of plug-in modules further comprise a handler method that performs a parameter value recordation function *(paragraph 0005, message logging, tracing)*.

Claim 17

Boykin disclosed the method of claim 1 wherein said plurality of plug-in modules further comprise a handler method that performs a output function that increments a counter on a per method basis *(paragraph 0005, tracing)*.

Claim 18

Boykin disclosed the method of claim 1 wherein said registration information further comprises

arguments for each of said methods *(paragraph 0054, table 1, line "method id = ISRead"*

includes parameters).

Claims 19-36

The limitations of claims 19-36 correspond to claims 1-18 and as such are rejected in a similar

manner.

Claims 37, 38 and 42

The limitations of claims 37, 38 and 42 correspond to claims 1, 2 and 6 and as such are rejected

in a similar manner. Additional limitations "executing a method ..." *(paragraph 0067)* and

"translating information to a format" *(paragraph 0005, logs, traces).*

Claims 39-41 and 43-46

The limitations of claims 39-41 and 43-46 correspond to claims 3-5 and 7-13 and as such are

rejected in a similar manner.

Response to Arguments

5.   Applicant's arguments filed 10/24/2008 have been fully considered but they are not

persuasive. Applicant argues **Boykin** fails to disclose: passing a class name and method names

(remark, 12).

In response, Boykin states that the registry component is responsible for storing and

managing the status of probed classes and methods so that any change to the status of registered

probes can take effect immediately (i.e. 0043). The registry information includes probed

methods names and their class ids.

In response to applicant's argument that the references fail to show certain features of

applicant's invention, it is noted that the features upon which applicant relies (i.e., the plug-in

pattern is essentially derived from user input...dictionary is the actual data structure...lookup

parameter into the dictionary) are not recited in the rejected claim(s). Although the claims are

interpreted in light of the specification, limitations from the specification are not read into the

claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, Boykin discloses updating a dictionary to include information from said

plug-in pattern (i.e. "New locations, new probes, and any change to the status of registered

probes ...can take effect immediately," 0043).

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to INSUN KANG whose telephone number is (571)272-3724. The

examiner can normally be reached on M-R 7:30-6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lewis A. Bullock, Jr. can be reached on 571-272-3759. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Insun Kang/
Examiner, Art Unit 2193